



ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

Southern Regional Office (SRO)
400 W. Congress, Suite 433, Tucson, AZ 85701

**Final Minutes of the
Shannon Road/El Camino del Cerro Water Quality Assurance Revolving Fund (WQARF)
Community Advisory Board (CAB) Meeting - 14th Meeting**

January 29, 2003, 6:00 p.m. - 8:00 p.m.
Nanini Library, 7300 N. Shannon Road, Tucson, Arizona

W-10000.6.6.2

CAB Members Present: Gary Burchard, James Eigel, Terri Hutts, Al Pesqueira, Gary Pitman, Sam Riechers, Eleanor Towne

CAB Members Absent: Susan Bjerke, Bob Ornelas

ADEQ Staff Present: Mike Fulton, ADEQ Superfund Programs Unit Manager; Michael Romero, Project Manager; Melissa Hayes, Community Involvement Coordinator

Members of the Public Present: Mike Block, Lonny Davis, Francis LaSala

The meeting began at 6:05 p.m.

1. Call to Order/Introductions

Al Pesqueira, CAB co-chair, welcomed members and conducted introductions. Each of the CAB members then briefly introduced themselves.

2. Approval of Minutes – 10/30/02

Gary Burchard said that on page 3, the second paragraph of the 10/30/02 minutes, says that the groundwater flow direction is influenced by Metro Water pumping. Also, on page 2 of the 8/28/02 minutes, a sentence says, "Pumping of the South Shannon well could be contributing to the migration of the plume." He said that the phrases look like liability, that could be construed to say that Metro Water is being blamed for spreading the contamination. He wanted to voice an objection to this, and that it could be read that a water provider could be liable for spreading contamination, but Metro Water's treatment system is cleaning up contamination. He said that he was not recommending a change to the statements, but wanted it noted. Melissa Hayes said that she compiles the minutes directly from the tape recording of the meeting, and although she summarizes the discussion, she makes every effort to keep the original meaning of what is said. Ellie Towne motioned and Gary Pitman seconded the motion to approve the minutes. All CAB members were in favor; none were opposed.

3. CAB Membership Discussion/Vote on New Member Applications -Francis LaSala and Chris North

Terri Hutts motioned to vote Chris North onto the CAB; Ellie Towne seconded the motion. Gary Burchard suggested that Chris North's application be tabled since he was not present. Sam Riechers motioned to reconsider the vote on Chris North's application at the next CAB meeting; Gary Burchard seconded the motion. All CAB members were in favor; none were opposed. Al Pesqueira asked Fran LaSala how long he has worked for the City of Tucson; Fran said eight years, and that he worked at Pima County before that. Sam Riechers motioned to vote Fran LaSala to the CAB; Ellie Towne seconded the motion. All CAB members were in favor; none were opposed. Lonny Davis also submitted an application to the CAB, but since it came in after the agenda had been mailed, the vote on his application would take place at the next meeting.

4. Discussion: Remedy Selection Process/Land and Water Use Study, Mike Fulton, ADEQ Superfund Programs Unit Supervisor, Southern Regional Office

Mike Fulton said that the WQARF Remedy Selection Rules have been adopted, which dictate the WQARF process including the selection of a remedy for a WQARF site, and which include requirements for public comment. The El Camino del Cerro and Shannon Road-Rillito Creek WQARF Sites are in the remedial investigation stage of the WQARF process, a component of which includes a land and water use study. The information gathered in the remedial investigation and the land/water use study goes into the Remedial Investigation Report, and to develop the Remedial Objectives Report. Then, the Remedial Investigation Report is finalized, a Feasibility Study is performed, a Proposed Remedial Action Plan (PRAP) is proposed and a Record of Decision (ROD) with the selected remedy is implemented. All of the stages have draft and final versions, with required public comment periods. The entire process at these two sites could take several years.

ADEQ will gather information from affected water providers, well-owners, landowners, other government entities and the community for the land and water use study. ADEQ will get input on the reasonably foreseeable uses for the land overlying the plume, and water uses that would be likely to occur in the area within the next 100 years. The study would look at if a treatment system would be compatible with the uses in the area already. It would also take into account the zoning in the area. CAB members said that the area is currently zoned as multiple use, but it could change. Surface water will also be looked at, including the Rillito Creek in this area. Landfills are given exception in the rule, as they address only immediate, ongoing health concerns with exposure at the site as it exists today. It is assumed that a landfill will always remain a landfill. ADEQ does not provide input on the study, but compiles the information into the Remedial Investigation Report, once the study has been issued for public comment. ADEQ should be conducting the studies at these two sites within the next year.

The next step is the selection of the remedial objectives. There are soil remedies, landfill remedies and groundwater/surface water remedies. Soil remediation standards exist to ensure that the soil cleanup is consistent with the use of the land. ADEQ established the soil remediation levels based on assumptions that are made for how a person could be exposed to the soils in a commercial or residential area, and toxicological data is used to establish a presumptive cleanup standard for each contaminant. A conservative estimate is made of the amount of the contaminant that could be left in the soil in a residential/commercial area and not cause a health impact. There is a requirement for a public meeting at the remedial objective stage, which could be held in conjunction with a CAB meeting, and might be held in the fall for these sites. Formal public comment will be required at the completion of the land and water use study, and at other stages in the process.

Mike Fulton said that Governor Napolitano proposed \$5 million for the WQARF budget for FY 2004 instead of the usual \$15 million. There are also taxes and fees of \$3-\$3.5 million, which would bring the total to \$8-\$8.5 million. With an overhead of \$7 million, \$1 million would be left for site issues. There will be little carry-over of funds from this year. WQARF has focused on early response actions where there was human contact.

5. Site Updates – Michael Romero, ADEQ Project Manager

Michael Romero distributed a handout with the site update. He said that ADEQ is close to getting access from Pima County to drill monitor wells at the end of next month. These wells should give a better idea of the source area for the contamination in the Shannon Road-Rillito Creek WQARF Site, and could tie the site with the El Camino del Cerro WQARF Site. He said that the wells will be drilled with rotasonic boring down to 400 feet. Two wells (one nested) will be drilled in one borehole at W-30, on property between the two WQARF sites. The W-31 well will be located between the South Shannon and the DeConcini wells, and will also be nested. The wells will focus on areas where the contamination might be traveling.

Western Stucco/Western Trailer Park has granted access to their property, so ADEQ can also install a monitor well there. ADEQ originally wanted to install the well on Wrecksperts property, but hasn't been able to get access. The monitor well on Western Stucco property will complement the W-24 well, which has shown the highest concentrations of PCE at the site. He said that most wells in the El Camino del Cerro WQARF Site are shallow so the proposed wells should provide a more detailed cross-section.

ADEQ is moving forward with getting access from the Arizona Department of Transportation to drill wells on property along the old Casa Grande Hwy. ADEQ cannot get access to drill one well, so ADEQ may use those funds to drill a contingency well. Two proposed contingency wells in the Shannon Road-Rillito Creek WQARF Site are to the east and west of the South Shannon well. He hopes to drill the wells by the end of this fiscal year.

He then discussed the former AMRI facility, which includes Wrecksperts and Western Stucco/Western Trailer Park. He said that ADEQ has been doing investigations to see if there could be any direct human health risk resulting from soil contamination in the area. He said that because ADEQ has not been able to get access to the Wrecksperts property, ADEQ is conducting its investigations along the property line between Western Trailer Park and Wrecksperts. There is a small area of known lead soil contamination above soil remediation levels in the vacant lot in the southeast corner of Western Trailer Park. ADEQ will do soil testing to determine the extent of the contamination, and whether any contamination is found beyond the lot.

ADEQ will also be installing soil to atmosphere monitoring devices (flux boxes) along the southern edge of the property to see if any vapors might be stemming from the soil into the atmosphere and to determine if any health risks are posed by the vapors. These investigations would be tied into a risk assessment. Flux boxes have already been installed on the nearby E.C. Winter property, also to determine if any health risks could be posed by soil vapor contaminants remaining after the soil removal action took place in the fall of 2001. It still needs to be determined if the residents on the property could be affected by the vapors.

Michael Romero reviewed the 4th quarter 2002 water level measurements/sampling results. Detections of contaminants during this sampling round were found in the same wells as in the past. The W-24 well has the highest concentrations of PCE, at 170 parts per billion (ppb). The South Shannon well had 12 ppb of PCE prior to treatment. He said that ADEQ thinks that there was a decontamination problem with the samples that were taken from the Z-006A well last time, since there were some obscure contaminants that showed up that were linked to another well that the same equipment was used in. The Z-006A well was resampled because of the possibility of not decontaminating the equipment, and then had a concentration of 1.3 ppb of PCE. Mike Block asked if the sample volumes were adequate in purging the well, and Michael Romero said that it might be an issue, and the well may not have been pumping for long. The Z-006A well was previously taken out of production, and has been used as a monitor well. Melissa Hayes said that Tucson Water takes any production well off-line if it reaches one-half the regulatory level (for PCE, it would be 2.5 ppb) as a precautionary measure. Michael Romero said that the water taken from a well during sampling is disposed of based on the concentrations of contaminants present. If above a certain concentration, it would be classified as hazardous waste under the Resource Conservation and Recovery Act (RCRA).

6. Call to the Public

Al Pesqueira reminded the group of Open Meeting Law.

7. Nomination of CAB Co-Chairs for Next Term

The CAB charter specifies that co-chairs be nominated each year in January. Al Pesqueira said that the Attorney General's Office recommends nominations at one meeting and voting at the next. Gary Burchard was nominated, but declined the nomination. Gary Burchard nominated Al Pesqueira as a co-chair, who accepted. Gary Burchard also nominated Terri Hutts; Terri declined. Al Pesqueira nominated Jim Eigel,

but Jim declined. Al Pesqueira nominated Gary Pitman, who accepted. Sam Riechers was nominated, but said that he is resigning from the CAB due to work conflicts, and submitted a resignation letter. Ellie Towne nominated Bob Ornelas; Melissa Hayes said that she would notify Bob of his nomination. Al Pesqueira, Gary Pitman and Bob Ornelas were nominated as co-chairs; final nominations and a vote will take place at the next CAB meeting.

8. CAB Discussion of New ADEQ Appointments/Drafting of Letter to Governor

The CAB requested this agenda item to discuss writing a letter to Governor Janet Napolitano, urging her to appoint a new ADEQ Director as soon as possible. A Director has already been appointed, but the agenda item was kept for CAB discussion. The CAB previously wrote a letter to Governor Jane Dee Hull about the WQARF budget. It was proposed that the letter be updated and sent to Governor Napolitano, the new Speaker of the House, President of the Senate, new ADEQ Director and the legislators for the area.

Mike Block said that it was mentioned at a WQARF Advisory Board meeting that if stakeholders try to get WQARF funding increased, there's a possibility that the funding could be taken from other areas in the ADEQ budget to cover the increase. The CAB felt their charge is to fight for these WQARF Sites, but waiting until the next meeting to draft a letter might be too late, so they decided to send a letter. Melissa Hayes reminded the CAB about Open Meeting Law in regards to writing the letter. She said that the CAB would have to agree on the language of the letter at this meeting. Co-chairs could write the letter, but any changes would have to be run past the CAB at the next meeting. Calling or e-mailing a majority of CAB members with the proposed changes could be considered having a quorum, so this has to be avoided.

Gary Burchard read the last letter, and the CAB agreed to keep the same language, with revisions to the addresses and omitting the reference to the WQARF funding bills. Jim Eigel said he wrote and signed the last letter and ADEQ mailed it. The CAB decided not to have ADEQ mail this letter; Al Pesqueira said that he could mail the letter once the co-chairs signed it. Melissa Hayes said that she could send copies to the CAB members. The CAB also requested that Melissa Hayes remove ADEQ staff from the CAB Contact List, and email it to the co-chairs. The co-chairs asked Jim Eigel to e-mail Melissa Hayes the last letter, she will make the updates, and will e-mail it to the co-chairs, who will sign it and mail it. Gary Burchard motioned to revise the last letter to the Governor about the WQARF budget and resend it; Ellie Towne seconded the motion.

9. CAB Outreach Discussion

There were no items to discuss.

10. Other Administrative Business

Terri Hutts said that some science teachers and a geologist are interested in joining the CAB. The CAB felt that the group should be comprised of people who live in or have an interest in the area. Mike Block offered for Metro Water to do another CAB recruitment announcement in their newsletter. Melissa Hayes said that the CAB can have up to 20 members, but the CAB decided to stay at their current size.

11. Future Meeting Date/Agenda Discussion

The next CAB meeting was scheduled for 4/30/03, but the library was unavailable, so the meeting was rescheduled for Wednesday, May 7, 2003, at the Nanini Library, large meeting room, 7300 N. Shannon Rd., Tucson, from 6:00 to 8:00 p.m. Call Melissa Hayes for meeting details and proposed agenda. Proposed agenda items included a vote on Lonny Davis's and Chris North's applications and on Sam Riechers' resignation, a vote on co-chair nominees and a discussion on Metro Water's request for funding from ADEQ.

12. Adjournment

Fran LaSala motioned to adjourn the meeting; Sam Riechers seconded the motion. All CAB members were in favor; none were opposed. The meeting was adjourned at 8:00 p.m.

This meeting was recorded on cassette tapes as a record of the proceedings. To listen to the tape, or for additional documents mentioned in these minutes, contact ADEQ's Southern Regional Office, Community Involvement Office, 520/628-6712.

Minutes prepared by: Melissa Hayes 04/08/03
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